

# CHAPTER 610

## Animals

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Animal pounds - see M.C.L.A. Secs. 123.301 et seq., 750.70  
 Animal diseases generally - see M.C.L.A. Secs. 287.708 et seq.  
 Animals generally - see M.C.L.A. Secs. 750.49, 752.21 et seq.  
 Pet shops - see B.R. & T. Ch. 848  
 Injuring animals - see S.U. & P.S. 1064.03  
 Animals in parks - see S.U. & P.S. 1064.11  
 Animals in cemeteries - see S.U. & P.S. 1066.03

### 610.01 PROHIBITED ANIMALS.

- (a) Annoying Animals. No person shall harbor or keep any animal or bird which causes annoyance or disturbance in a neighborhood, by making sounds common to its species or otherwise, or which endangers the safety of any person or property.
- (b) Fowl; Bees. No person shall keep, harbor, raise or hatch domestic fowl, pigeons or bees in the City.
- (c) Livestock. Except as otherwise provided in this section, no person shall keep within the City any cattle, cow, horse, sheep, swine, goat, mule, donkey, pony or other livestock.
- (d) Exceptions. Notwithstanding the prohibitions of this section.
  - (1) Animals may be kept in a municipal zoo,
  - (2) Honeybees may be kept according to the following conditions:
    - (A) A maximum of two (2) hives may be kept per parcel.
    - (B) A flyway barrier at least six (6) feet in height shall shield any part of a property line that is within twenty-five (25) feet of a hive. The flyway barrier shall consist of a solid wall, solid fence, dense vegetation or a combination thereof.
    - (C) A constant supply of water shall be provided for all hives.
    - (D) Hive enclosures shall be located in the rear or side yard at least twenty-five (25) feet from any dwelling on a neighboring parcel and at least ten (10) feet from any sidewalk, roadway or alley.
    - (E) No honeybees shall be kept on parcels with more than one dwelling.
    - (F) The City Clerk's Office shall notify the abutting property owners of the License application in writing; and shall approve the License one week after providing such notification if all conditions of this section have been met.

- (G) The owner or tenant registers and obtains a revocable Honeybee License from the City Clerk's Office annually.
  - (H) A Honeybee License may be revoked if the use allowed per the License becomes a public nuisance as defined by Traverse City Code of Ordinances Section 660.01, Public Nuisance Defined, and/or ceases to comply with the conditions of this section.
- (3) Chickens may be kept according to the following conditions:
- (A) A maximum of four (4) hens may be kept per parcel. Roosters are prohibited.
  - (B) Slaughtering chickens outdoors is prohibited.
  - (C) Chickens shall be provided, and remain within, a fully enclosed shelter with an optional covered fenced enclosure in the rear yard.
  - (D) Enclosures shall be located at least twenty-five (25) feet from any dwelling on a neighboring parcel.
  - (E) No chicken shall be kept on parcels with more than one dwelling.
- (4) Livestock may be kept with the advanced written permission of the City Manager which shall be given if the following are demonstrated:
- (A) The animals are kept securely and humanely;
  - (B) The animals are not kept within 100 feet of any residence;
  - (C) All laws and ordinances regarding sanitation of the premises or buildings where the animals are kept are complied with;
  - (D) There is no adverse effect upon adjoining public or private property;
  - (E) The animals are not kept for more than thirty days within a twelve-month period; and
  - (F) It is otherwise legal to keep such animals.

(e) Penalty. A person who violates this section is responsible for a municipal civil infraction. (1976 Code Sec. 7.01; Ord. 441. Passed 7-1-96; Ord. 485. Passed 1-18-00. Ord. 845. Passed 9-8-09. Ord. 955. Passed 12-3-12)

**610.02 CONFINEMENT TO PREMISES.**

The owner or custodian of any animal or bird shall keep such animal or bird confined to his or her own premises if necessary to avoid annoyance or disturbance in the neighborhood. A person who violates this section is responsible for a municipal civil infraction. (1976 Code Sec. 7.02. Ord. 486. Passed 1-18-00.)

**610.03 ACCESS TO PUBLIC WAYS AND PLACES.**

No person shall tie, stake or fasten any animal in such a manner that the animal has access to any portion of any street, alley or public place. A person who violates this section is responsible for a municipal civil infraction. (1976 Code Sec. 7.022. Ord. 487. Passed 1-18-00.)

**610.04 REMOVAL OF DEFECATION.**

No owner or person having custody of any dog or other animal shall permit such dog or other animal to defecate on any school grounds, public street, alley, sidewalk, tree lawn, park, other public grounds or private property in the City, other than on the premises of such owner or

person, unless such defecation is removed immediately. A person who violates this section is responsible for a civil infraction.

(Ord. 185. Passed 10-7-85. Ord. 417. Passed 5-15-95.)

#### **610.05 DOGS.**

- (a) Application of State Law. No person shall violate any law of the State pertaining to dogs, or any rule or regulation pertaining to dogs adopted by any State agency.
- (b) License Required. Any dog subject to license, which dog is not licensed, is a nuisance and may be impounded in the City dog pound or County dog pound.
- (c) Running At Large. Any dog, licensed or unlicensed, which is not attached to a leash or rope of eight feet or less in length, and which is running on public places or private property, other than the premises of the owner or person having custody of such dog, may be impounded in the County dog pound. When any dog is running at large, the owner or custodian may be notified by the City of a violation of this section, and after three such notices, the dog may be taken from the owner or custodian and impounded. This subsection shall not apply to city parkland which has been designated as an off-leash area by resolution of the City Commission and so posted by sign.
- (d) Vicious Dogs. No person, being the owner, caretaker or custodian thereof, shall permit any vicious dog to be unconfined unless such dog is securely muzzled and led by a leash. Any dog which has bitten a person or domestic animal without molestation, or which, by its actions, gives indication that it is liable to bite any person or domestic animal without molestation, shall be deemed vicious. Any vicious dog which is impounded shall be confined for not less than ten days.
- (e) Quarantine. Whenever notice of a dog quarantine is published in the official newspaper by the Health Department, no person shall, during the period of such quarantine, permit any dog, of which he or she is the owner, caretaker or custodian, to be unconfined, except under conditions specified in such notice.

(1976 Code Sec. 7.03; Ord. 186. Passed 10-7-85; Ord. 187. Passed 12-16-85. Ord. 945. Passed 6/4/12)

#### **610.06 SANITATION OF PREMISES.**

The owner or custodian of any animal or bird shall maintain the premises wherein such animal or bird is kept in a clean and sanitary condition, free from rodents, vermin and disagreeable odors. A person who violates this section is responsible for a civil infraction.

(1976 Code Sec. 7.04. Ord. 418. Passed 5-15-95.)

#### **610.07 CRUELTY; POISONING.**

No person shall be cruel to any animal or bird. No person shall throw or deposit any poisonous substance on any exposed public or private place where it may endanger any animal.

(1976 Code Sec. 7.05)

#### **610.08 BURNING OF ANIMAL MATTER.**

No person shall burn any feathers, hides or other animal matter in the City unless the following criteria are met:

- (a) The activity is accessory to either a veterinary clinic, laboratory research facility or animal control pound or shelter.

- (b) Emissions into the air from the activity do not exceed State or Federal requirements.
- (c) The odor emitted shall not be noxious or considered a nuisance and shall not be harmful to the environment or to residents.

A person who violates this section is responsible for a civil infraction.

(1976 Code Sec. 7.07; Ord. 210. Passed 9-2-86. Ord. 419. Passed 5-15-95.)

#### **610.09 DISPOSAL OF DEAD ANIMALS.**

- (a) Prohibited Locations. No person shall deposit, place or throw any dead or fatally sick or injured animal, or part thereof, on any public or private place, in the City dump, into any reservoir, or into any stream, lake, pond, sewer, well or other body of water, or onto the banks thereof.
- (b) Burial. No person shall bury any dead, fatally sick or injured animal, or part thereof, in the City, except that the owner or occupant of any unplatted property may bury thereon any dead animal owned by him or her, which animal died on such premises, after having obtained a written permit to do so from the Health Department. Such burial shall be made at a distance of not less than 200 yards from any residence or well, and the carcass shall be placed underground and well covered with at least four feet of earth from the surface of the ground to the upper part of the carcass.
- (c) Immediate Disposal Required. No person shall fail to immediately dispose of any dead animal found upon property under his or her possession or control, either in the manner specified in this section, by disposal at the City dump or by other suitable means outside the City.
- (d) Transporting. No person shall carry or convey any dead animal through or upon any street, alley or public place unless the same is so covered that no part of it is exposed to view and no odors can emanate therefrom.
- (e) Civil Infraction. A person who violates this section is responsible for a civil infraction.

(1976 Code Sec. 7.08 Ord. 420. Passed 5-15-95.)

#### **610.10 APPEARANCE TICKETS.**

The Police Chief and the appointed officers of the Police Department, or such other officials as are designated by the City Manager, are hereby authorized to issue and serve appearance tickets with respect to a violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as amended (M.C.L.A. 764.9c(2); M.S.A. 28.868(3)(2). Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements.

(Ord. 349. Passed 5-17-93.)

#### **610.99 PENALTY.**

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)